

O I P E

JUL 16 2002

**REQUEST FOR
CONTINUED EXAMINATION (RCE)
TRANSMITTAL**

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000 provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA)

Application Number: 09/582,342

Filing Date: December 17, 1998; § 371 Date: September 18, 2000

First Named Inventor: Rudi BRANDS

Group Art Unit: 1648

Examiner: B. Li

JUL 19 2002

Attorney Docket Number: 01975.0025-00000

TECH CENTER 1600/2900

Attorney Customer Number: 22,852

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This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

Note: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53(d) instead of a RCE to be eligible for patent term adjustment provisions of the AIPA. See "Changes to Application Examination and Provisional Application Practice," Interim Rule, 65 Fed. Reg. 14865 (March 20, 2000). Off. Gaz. Pat. Office 47 (April 11, 2000), which established RCE practice.

1. Submission required under 37 C.F.R. § 1.114:

- a. Previously submitted
 - i. Consider the amendment(s)/reply after final under 37 C.F.R. § 1.116 previously filed on [Date] _____.
 - ii. Consider the arguments in the Appeal Brief or Reply Brief previously filed on [Date] _____.
 - iii. Other _____
- b. Enclosed:
 - i. Amendment/Reply
 - ii. Affidavit(s)/Declaration(s)
 - iii. Information Disclosure Statement
 - iv. Other _____

2. Miscellaneous

- a. Suspension of action on the above-mentioned application is requested under 37 C.F.R. § 1.103(c) for a period of [number] months. (Period of suspension shall not exceed 3 months; fee under 37 C.F.R. § 1.17(i) required.)
- b. Other _____

3. Fees

- a. The filing fee is calculated as follows:
 - i. \$740.00 RCE fee required under 37 C.F.R. § 1.17(e)
 - ii. Petition for extension of time for (5 Months) \$1,960.00.
 - iii. Other _____
- b. Check in the amount of \$2,700.00 enclosed.
- c. The Commissioner is authorized to charge any deficiencies in the filing fees, or credit any overpayments to Deposit Account No. 06-0916.

Signature of Applicant, Attorney, or Agent Required

Name: Charles E. Van Horn

Reg. No.: 40,266

Signature:

Charles E. Van Horn

Date:

16 July 2002

Certificate of Mailing or Transmission

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, BOX RCE, Washington, D.C. 20231, or facsimile transmitted to the U.S. Patent and Trademark Office on: [Date]

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(Reg. RCE
Filing
PATENT
07/19/02)

Customer No. 22,852
Attorney Docket No. 01975.0025-00

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Rudi BRANDS

Serial No.: 09/582,342

Filed: December 17, 1998

§ 371 Date: September 18, 2000

For: PREPARATION OF CELLS FOR
PRODUCTION OF BIOLOGICALS

) Group Art Unit: 1648

) Examiner: B. Li

Commissioner for Patents and Trademarks
Washington, DC 20231

Sir:

PRELIMINARY AMENDMENT

Prior to examination on the merits, please amend this application as follows:

IN THE CLAIMS:

Without prejudice or disclaimer, please amend claims 1, 2, 10, and 25 as follows:

C Contd.
1 (Twice amended). A method for the preparation of cells for use in the production of at least one biological, said method comprising:

a) culturing cells to form a preproduction batch,

b) dividing the cells of the preproduction batch into at least two separate batches,

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